

APPENDIX "A"

Constitution of the United States.

Article IV, Sec. 1:

"1. Public acts, records and proceedings of States—Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof."

Article XIV, Amendments to the Constitution of the United States, Section 1:

"1. Citizenship defined—Privileges of citizens.—All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law."

APPENDIX "B"

Constitution of the State of Colorado. (Compiled Laws of Colorado of 1921.)

Article 6.

Sec. 11: "Jurisdiction—The district court shall have original jurisdiction of all causes both at law and in equity, and such appellate jurisdiction as

may be conferred by law. They shall have original jurisdiction to determine all controversies upon relation of any person on behalf of the people, concerning the rights, duties and liabilities of railroad, telegraph or toll-road companies or corporations."

Sec. 12: "Judicial districts—Term of Judges—The state shall be divided into judicial districts, in each of which there shall be elected by the electors thereof, one or more judges of the district court therein, as may be provided by law, whose term of office shall be six years; the judges of the district courts may hold courts for each other, and shall do so when required by law, and the general assembly may by law provide for the selection or election of a suitable person to preside in the trial of causes in special cases."

Sec. 13: "Judicial districts—Until otherwise provided by law, said districts shall be four in number, and constituted as follows, viz:

First District—The counties of Boulder, Jefferson, Gilpin, Clear Creek, Summit and Grand.

Second District—The counties of Arapahoe, Douglas, Elbert, Weld and Larimer.

Third District—The counties of Park, El Paso, Fremont, Pueblo, Bent, Las Animas and Huerfano.

Fourth District—The counties of Costilla, Conejos, Rio Grande, San Juan, La Plata, Hinsdale, Saguache and Lake."

Sec. 15. "Election of judges—Term—The judges of the district court first elected shall be chosen at the first general election. The general assembly may provide that after the year eighteen hundred and seventy-eight, the election of the judges of the supreme, district and county courts, and the district attorneys, or any of them, shall be on a different day from that on which an election is

held for any other purpose, and for that purpose may extend or abridge the term of office of any such officers then holding, but not in any case more than six months. Until otherwise provided by law, such officers shall be elected at the time of holding the general elections. The terms of office of all judges of the district court, elected in the several districts throughout the state, shall expire on the same day; and the terms of office of the district attorneys elected in the several districts throughout the state shall, in like manner expire on the same day."

Sec. 16. Qualifications of district judges—No person shall be eligible to the office of district judge unless he be learned in the law, be at least thirty years old, and a citizen of the United States, nor unless he shall have resided in the state or territory at least two years next preceding his election, nor unless he shall, at the time of his election, be an elector within the judicial district for which he is elected; Provided, That at the first election, any person of the requisite age and learning, and who is an elector of the territory of Colorado, under the laws thereof at the time of the adoption of this constitution, shall be eligible to the office of judge of the district court of the judicial district within which he is an elector.

Sec. 17. Terms of court—The time of holding courts within the said district, shall be as provided by law, but at least one term of the district court shall be held annually in each county, except in such counties as may be attached, for judicial purposes, to another county wherein such courts are so held. This shall not be construed to prevent the holding of special terms under such regulations as may be provided by law.

Sec. 18. Compensation of judges—The judges of the supreme and district courts shall each receive such salary as may be provided by law; and

no such judge shall receive any other compensation, perquisite or emolument for, or on account of, his office, in any form whatever, nor act as attorney or counsellor at law.

Sec. 19. Clerk of district court—There shall be a clerk of the district court in each county wherein a term is held, who shall be appointed by the judge of the district, to hold his office during the pleasure of the judge. His duties and compensation shall be as provided by law, and regulated by the rules of the court."

Statutes of Colorado, Section 1, Chapter 176, Vol. IV, 1935 Colo. Stats. Annotated.

(Sec. 5151 Compiled Laws of Colo. 1921.)

"Descent of property of intestate—Sec. 1. Whenever any person having title to any real estate or property having the nature or legal character of real estate, or personal estate, undisposed of or not otherwise limited by marriage settlement, shall die intestate as to such estate, it shall descend and be distributed in parcenary to his kindred, male and female, *subject to the payment of his debts*, also subject to sale or mortgage when it shall appear to the court to the best interests of the estate of such deceased person and the persons in interest therein, in the following course and manner, namely: If such intestate leave a husband or wife and children, or the descendants of children him or her surviving, one-half of such estate shall descend to such surviving husband or wife, and the residue thereof to such surviving children and descendants of children as hereinafter limited; if such intestate leave a husband or wife, and no child nor descendants of any child, then the whole of the estate of such intestate, real and personal, shall descend to and vest in such surviving husband or wife as his or her absolute estate, subject to the payments of debts as aforesaid. Dower and the tenancy by curtesy are abol-

ished, and neither husband nor wife shall have any share in the estate of the other, save as herein provided.

“Except in the cases above enumerated, the estate of every intestate shall descend and be distributed as follows:

FIRST—To his children surviving, and the descendants of his children who are dead, the descendants, collectively, taking the share which their parents would have taken if living.

SECOND: If there be no children, nor their descendants then to his father and mother share and share alike; if there be no father, then to his mother; if there be no mother, then to the father; if there be no father or mother, then to the brothers and sisters, and to the descendants of brothers and sisters who are dead, the descendants, collectively taking the share of their immediate ancestors, in equal parts.

THIRD: If there be no children nor their descendants, nor father, mother, brothers, sisters, nor descendants of deceased brothers or sisters, nor husband, nor wife living, then to the grandfather, grandmother, uncles, aunts, and their descendants, the descendants taking collectively the share of their immediate ancestors, in equal parts.

FOURTH: And if none of the relatives above enumerated be living, then to the nearest lineal ancestors and their descendants, the descendants collectively taking the share of their immediate ancestors, in equal parts. (L. '15, p. 498, Sec. 1; amending R. S. '08, Sec. 7040.)”